MONTHLY HIGHLIGHTS

NOAA
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
HABITAT CONSERVATION DIVISION

SEPTEMBER 2003

GLOUCESTER, MA OFFICE, ONE BLACKBURN DRIVE, GLOUCESTER, MA 01930

EFH DESIGNATED FOR 7 SPECIES OF NORTHEAST SKATE

The Secretary of Commerce approved the New England Fishery Management Council's (NEFMC) Fishery Management Plan (FMP) for the Northeast Skate Complex on July 28, 2003. This FMP includes the designation of essential fish habitat (EFH) for 7 species of skate including Barndoor skate, Clearnose skate, Little skate, Rosette skate, Smooth skate, Thorny skate, and Winter skate. Federal agencies that fund, authorize, or undertake any actions that may adversely affect the EFH of these species must now consult with NOAA Fisheries prior to undertaking the action (pursuant to the Magnuson-Stevens Fishery Conservation and Management Act). Three species (Clearnose, Little, and Winter skate) have coast-wide EFH distributions in the northeast and will be the species of primary concern to those agencies operating in the coastal zone. To view maps of the skate EFH designations please go to the NEFMCs website at: http://nefmc.org/skates/index.html and click on the ERRATA link. These EFH maps will be added to the NOAA Fisheries' Northeast Regional Office EFH website in the near future. In addition the EFH Source documents (Northeast Fisheries Science Center Technical Memos 173-179) detailing life history, habitat needs, and stock status of each species can be found at: http://www.nefsc.noaa.gov/nefsc/habitat/efh/. **(Lou.Chiarella@noaa.gov; 978/ 281-9277)**

NAHANT BEACH RESTORATION PROJECT

Staff from the Habitat Conservation Division (HCD) participated in an interagency pre-application meeting regarding the proposed restoration of Nahant Beach Reservation in Nahant, Massachusetts. It is anticipated that this project will include a rehabilitation of the existing riprap structure, reconstruction of existing roadway drainage outlets, as well as beach nourishment. As this project is expected to impact intertidal and subtidal habitats, an essential fish habitat assessment will be required for this project. **(Chris Boelke, 978/ 281-9131)**

WINDFARM SITE SELECTION CRITERIA EVALUATED

The Army Corps of Engineers (ACOE) held a meeting to discuss criteria for selecting appropriate site alternatives as part of the alternatives analysis for the proposed windfarm on Nantucket Shoals. The alternatives analysis is part of the Environmental Impact Statement (EIS)

process being conducted by the ACOE as a requirement of the National Environmental Policy Act (NEPA). The new approach for evaluating alternative windfarm sites allowed for multiple locations to be considered one project and the inclusion of sites which may have less than optimal ratings for one or more selection criteria. Alternative sites for further review will be upland, offshore, and a combination of upland and offshore. Previous criteria limited sites to one location and 'fatal flaws' which could eliminate sites if a single factor was deemed unfavorable. The ACOE has scheduled a public information meeting on the Draft EIS on October 29 in North Falmouth, MA. **(sean.mcdermott@noaa.gov, 978/ 281-9113)**

NINETEEN PROJECTS REVIEWED AT MAINE JP SESSION IN SEPTEMBER
Only a handful of projects came through the Maine joint processing session for September. Unlike the previous month, no single town was affected by a specific activity type. Two projects from the Maine Department of transportation for culvert repair/slip lining were presented. Each indicated no impediment to fish passage would result from repair activities. Because road crossings often cause passage problems for resident and anadromous finfish species, NOAA Fisheries provides conservation recommendations under the Fish and Wildlife Coordination Act and/or Magnuson-Stevens Act for each culvert project stipulating no existing or new impediment to passage be present after construction activities are complete. Regional efforts are in motion for the restoration of fish passage on a watershed scale. Therefore, proper construction of smaller stream crossings in the upper headwaters - considered highly productive and valuable habitat - is an important aspect of the larger goal for successful restoration of aquatic resources. **(sean.mcdermott@noaa.gov , 978/ 281-9113)**

JAMES J. HOWARD MARINE SCIENCES LABORATORY, HIGHLANDS, NJ 07732

NEPTUNE REGIONAL TRANSMISSION, LLC.
HCD staff from Sandy Hook and Milford reviewed the public notice and EFH assessment for a 600 MW high voltage direct current (HVDC) electric transmission cable proposed by Neptune Regional Transmission, LLC. The proposed cable alignment originates in Sayreville, New Jersey and traverses several marine and estuarine water bodies, including the Raritan River, Raritan Bay, Sandy Hook Bay, the Atlantic Ocean, Jones Inlet, and Hempstead Bay before ending in North Hempstead, NY. The proposed transmission line will cross over 53 miles of aquatic habitat and 14 miles of uplands. Portions of the project area provide a migratory corridor for anadromous fish, support commercially harvestable shellfish beds, and have been designated as EFH for more than 30 federally managed species of fish, shellfish, and their prey. Several methods of installation are proposed including directional drilling from the uplands into the waterways, water-jetting along the submarine cable route, trenching across several federal navigation channels, and cut and cover methods in the uplands. Due to the lack of information concerning project alternatives, HCD could not provide project specific EFH conservation recommendations. General best management practices for the installation of cables in the marine environment were provided and additional information has been requested to address our concerns about project alternatives and impact minimization. Project specific EFH conservation recommendations will be provided as appropriate once the requested information has been

received. Protected Resources Division staff will be addressing the Endangered Species Act (ESA) Section 7 coordination issues with the ACOE directly. **[Karen Greene, 732/ 872-3023; Diane Rusanowsky, 203/ 882-6504; or Julie Crocker, 978/ 281-9328 ext 6530 (for ESA issues)]**

LIPMAN TRUST

Habitat staff provided comments regarding a public notice issued on August 12, 2003 by the Army Corps of Engineers' Philadelphia District to construct a new marina on Beach Thorofare in the City of Ventnor, in Atlantic County, NJ. The 21 slip marina would service a proposed residential subdivision and is located within moderate to high commercial value shellfish (*Mercenaria mercenaria)* beds. If the marina is built, the shellfish beds are likely to become contaminated by the petroleum residues from boats, causing degradation of the shellfish habitat. Also, the marina would not be consistent with the New Jersey Coastal Management Rules which prohibit the construction of marinas within shellfish beds in order to prevent adverse impacts on the beds. **(anita.riportella@noaa.gov, 732/ 872-3116)**

MID ATLANTIC FEDERAL PARTNERS FOR THE ENVIRONMENT (MAFPE)

On September 9, Stan Gorski traveled to the U.S. Department of Agriculture's George Washington Carver Center in Beltsville, MD to attend the MAFPE's quarterly meeting. Two relevant issues were discussed. First, the Partners are developing a "Smart Tools" for development guidance program. Part of the program includes a web site listing all the federal grant programs related to development. The website for NOAA's Restoration Center, which explains how to apply for restoration grants will be included. Second, in the afternoon, there was a roundtable discussion of directions and highlights for each federal agency. The partners were told about EFH and the NMFS website to describe the EFH program. **(Stan Gorski, 732/ 872-3037)**

PHILADELPHIA AIRPORT EXPANSION

Stan Gorski attended meetings at the Philadelphia Airport on both September 3 and September 30 to discuss streamlining the NEPA process for the airport expansion. The Philadelphia Airport expansion is one of the White House Administration's projects listed for permit process streamlining to avoid air traffic delays. Representatives from state and federal agencies also attended and described each agency's obligations under relevant state or federal laws, and what could be done to expedite comments, reviews, and potential interagency conflicts.

HCD staff previously provided comments on the work plan and included the recommendations to expand the EIS discussion on the effects on fisheries and benthos to include availability of food sources, refuge and spawning for fishes for all life stages due to loss of habitats such as wetlands, shallow water, deep water habitats, and conversion of habitats. Also, HCD recommended that discussion and analysis should include direct and indirect impacts and include present and future cumulative impacts. **(Stan Gorski, 732/ 872-3037 or Anita Riportella, 732/ 872-3116)**

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SITE DESIGNATIONS FOR DREDGED MATERIAL DISPOSAL IN LONG ISLAND SOUND UNDER REVIEW

The release of the US EPA's EIS for the Designation of Dredged Material Disposal Sites in Central and Western Long Island Sound, Connecticut, and New York has begun the public interest review of its completeness. NOAA Fisheries has been actively involved in the development and drafting of the document and is now reviewing the complete, 15 volume set. The public hearings were held on September 29 and October 1, respectively, in New York and Connecticut seeking public comment. While our review of the documents is ongoing and not yet complete, there is some confidence that the EIS will be found to be comprehensive in its presentation of the availability of one or more open water disposal sites for dredged materials deemed suitable for unrestricted disposal. The project has been underway since the late 1990s and represents one of the most extensive assessments of the seafloor within Long Island Sound. The documents take advantage of the advances in seafloor mapping, geological characterization, fishery use and presence investigations and a cooperative coordination structure between the state and federal agencies responsible for managing dredging and dredged material disposal in the waters of the Sound. **(Michael.Ludwig@NOAA.gov , 203/ 882-6504)**

POTENTIAL BENEFICIAL USES CONTEMPLATED FOR LOWER HOUSATONIC RIVER SHOAL

The beneficial use of sediments from the lower Housatonic River for beach nourishment of adjacent beaches in Connecticut has become a state and federal focus of attention as the result of local interest in the "beach sand quality" material found in the shoals in the entrance channel. The City of Milford has experienced extensive erosion from littoral drift processes moving beach sand westward toward the jetties at the mouth of the Housatonic and would like to recover and reestablish more favorable shoreline profiles. Recapturing and returning the sandy material to areas as far east as the west side of Silver Sands State Park could mean reduced flooding and shoreline damage during the period when the sacrificial beach nourishment material remained on-site in the construction area(s). While the exact nature or extent of the relocation effort has not been finalized, the discussions appear positive. **(Michael.Ludwig@NOAA.gov , 203/ 882-6504)**

PHASE III OF THE RIVERSIDE SOUTH WATERFRONT PARK DEVELOPMENT UNDER REVIEW

Staff are reviewing the recent submittal for the third development phase of a public waterfront park along the Hudson River in Manhattan. The current project reach extends from West 65th to West 62nd Street. The current proposal entails removal of collapsed structures; shoreline rip rap and retaining walls; cove development; walkways and overlooks; and a pedestrian bridge over the cove. Two previous park reaches were completed in 2001 and 2003. When completed, Riverside South will connect the northernmost portion of the Hudson River Park with the southernmost portion of Riverside Park, creating continuous public waterfront access for much of the west side of Manhattan. **(Diane.Rusanowsky@noaa.gov , 203/ 882-6504)**

VOLUNTARY CLEANUP CONSIDERED FOR NASSAU METALS CORPORATION SITE

Coordination nears completion for a proposal to conduct a $13M voluntary site remediation at a site adjacent to Mill Creek, a primary tributary of the Arthur Kill at Staten Island, New York. Remedial objectives are centered on managing metal-contaminated fill and sediments. The work would entail removal of some 8,000 CY of sediment from a tidally influenced reach of Mill Creek, bank stabilization, sewer decommission, wetland enhancement or restoration and related activities. **(Diane.Rusanowsky@noaa.gov, 203/ 882-6504)**

TAPPAN ZEE BRIDGE CONSTRUCTION ACTIVITIES CONTEMPLATED

Staff participated in a recent conference call regarding proposals under consideration by the State of New York to address present and future traffic and related transportation issues at the Tappan Zee Bridge, a major Hudson River crossing between Westchester County and South Nyack, New York. The planning effort is a major component of the I-287 improvements and involves a broad spectrum of state and federal interests. This particular crossing involves many resources of concern, including EFH, federally endangered species, as well as Fish and Wildlife Coordination Act species. As the alternatives under consideration are refined, we expect that the Protected Resources Division will be taking the lead on the Endangered Species Act aspects of the project. **(Diane.Rusanowsky@noaa.gov, 203/ 882-6504)**

OXFORD, MD OFFICE, 904 SOUTH MORRIS STREET, OXFORD, MD 21654

HURRICANE ISABEL

Hurricane damage in the Chesapeake Bay Region is extensive. FEMA is closely coordinating with HCD and other resource/regulatory agencies to facilitate clean-up and repairs without compromising legislative mandates. **(Tim Goodger, 410/ 226-5606)**

I-95 IMPROVEMENTS

I-95 through Delaware is experiencing severe traffic congestion resulting from significant increases in volume in recent years. Widening of the highway and adding express entrance/exit ramps will impact tidal wetlands adjacent to the Christina River, a river system where habitat values and functions have been severely degraded as a result of anthropogenic influences. Opportunities are being investigated to integrate compensatory mitigation for I-95 with other restoration efforts in the Christina basin. One site being investigated is a "brownfield" location known as Koppers, a former creosote manufacturing site in Newark, DE. **(Tim Goodger, 410/ 226-5606)**

TIDAL POWER

A demonstration project involving placement of electric generating turbines in Indian River Inlet, DE, has been proposed. The potential impact of the reversible operating turbines on living marine resources migrating through the inlet have not been addressed. Indian River Inlet is the only point of entry to Indian River and Rehoboth Bays, important feeding and nursery areas for many species, including those managed under the Magnuson-Stevens Act. **(Tim Goodger, 410/ 226-5606)**